

Brian's Biography



Brian M. Higbie was admitted to the New York Bar in 2003, after graduating from the top three Environmental Law Program in the nation at Pace University School of Law¹. Brian has been a practicing attorney in New York City and Westchester County for nearly 10 years.

After graduation, Brian served as an Associate Attorney at two different firms prior to starting his own practice in 2009. Brian is described by his clients as a diligent, honest, and hard-working attorney who is committed to justice, to the environment, and to the community. Brian's pro-bono activities such as his continued annual participation as a Judge in the "National Environmental Law Moot Court Competition" reflect such commitments.

Brian is a certified Personal Family Lawyer® - the only one in Westchester County. His law practice is focused on estate planning, primarily for families with young children. Brian has made his mission to educate the public about how important and how much easier it is to plan when you are young and healthy.

It is important to Brian for people to see that while there is a need common to all families – the need to have a estate plan in place – each family is different, and their plans should reflect their uniqueness. Therefore, Brian continues to value and honor families in Westchester and other surrounding areas in New York, by drafting Estate Plans that will take care of leaving not just your wealth, but a legacy behind.

Practice Areas include: Estate Planning, Children Protection Plan, administrative law, affordable housing, appeals civil litigation, commercial litigation, compliance (regulatory), condominium, construction, contracts, cooperative housing, copyright, corporations, creditor/debtor, easements, employment, environmental, Family Medical Leave Act disputes, foreclosure, franchise, HOA (homeowners association) immigration, incorporation, land use, landlord/tenant, lemon law, municipal, non-profit, personal injury public utility, real estate, residential and commercial leasing, residential real estate sales, short sales, tax certiorari, trademark, vehicle and traffic infractions, zoning.

Specialties: Estate Planning, Children Protection Plan, Condo/Co-op/HOA, Civil Commercial Litigation

¹ US News and World Report Law Specialties: Environmental Law

Our Firm Story

Our mission is to protect your family

We educate the public about how important and how much easier it is to plan when you are young and healthy. Estate planning is some of the most important work an adult can do. In addition to its practical benefits, it provides great peace of mind. Traditional law firms focus their estate planning practice on the elderly and those who have had a major health challenge. The Law Office of Brian M. Higbie focuses on families with young children because (1) their needs are not being met by traditional estate planning lawyers, (2) parents generally don't realize what would happen to their minor children if they became incapacitated or died, or how easily the worst could be avoided, and (3) parents of young children seem to experience a high degree of fear about death if only because they fear what would happen to their children without them. Creating a comprehensive estate plan that includes our exclusive Children's Protection Plan allays these fears and helps them live better, healthier lives.

Estate planning is a time when you contemplate your life and relationships. With the Law Office of Brian M. Higbie, you will face the question, what happens to my family if something were to happen to me? This can be a great opportunity for your family to face these ultimate questions and to create a plan that will address what is most important to you. Unfortunately, this is often a lost opportunity because people avoid planning and put it off, but also because, the typical lawyer does not approach clients from the heart and is typically focused on money and property. The question too often is not what happens to my family, it is what happens to my property? We change this focus by doing a few things differently.

1. Our firm addresses the deeper questions. Brian asks his clients, what is important to you to leave to your family? to your partner? to your children? to your grandchildren? and he will guide you beyond money and property.

2. Our firm creates a special plan for the care of minor children. If you have minor children, in addition to the traditional will or trust, our firm will offer you a comprehensive plan designed around taking care of your children. While the traditional estate planning practice does not address what would happen to you children if something were to happen to you, we do. Too often, children are taken into foster care until a permanent guardian is named.

3. Our Firm Helps You Leave Love Behind. With typical planning, so much gets lost. The typical plan and planning process is designed to pass on property. But what about the intangible? I would love to know what my grandparents thought was important in life and what matters most to a life well lived. That didn't survive when they passed on. If for example you love to sing, how will that get passed on? We have heard so many stories of people who have held on to a voicemail of a parent that passed because they

wanted to hear that voice one more time. And then the voicemail gets erased somehow; and it is lost. With each of our clients, we interview you and record your answers. This becomes part of your legacy that survives and can stay in the family for generations.

4. Our firm reviews plans every 3 years at no charge. Families change, circumstances change, possessions change, the laws change. The reason online estate planning has any foothold is because clients believe that having an estate plan means buying a set of documents. Some people's experience with an attorney was like this. The lawyer prepares the documents and the clients go home, put them somewhere, and they sit there and collect dust. Meanwhile, lives change, you don't own that home any more, your family members have different needs, the law has changed: when the time comes, chances are your estate plan is not going to work because it does not address the circumstances at the time. That is why we recommend and encourage our clients to revisit their plans at most every 3 years. But we don't just recommend it. We will review the plan with you every 3 years for **FREE**.

These are just 4 things that differentiate the Law Office of Brian M. Higbie from any other Law Office in Westchester. By doing these 4 things, Brian hopes to transform the legal practice and the lives of his clients. Because these are issues of life and death and of mothers, fathers, and children, this is sacred work. Brian brings years of compassionate counseling, and training to bear.